

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, Planning & Zoning Manager/(954) 797-1075

PREPARED BY: Maria C Sanchez, Planner II

SUBJECT: Resolution

AFFECTED DISTRICT: District 1

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "I-595 COMMERCE CENTER" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 11-1-08, I-595 Commerce Center, SW 64 Avenue and SW 30 Street) P & Z Board recommended approval

REPORT IN BRIEF: The subject site consists of 113.18 acres. This plat is restricted to 1,550,000 square feet of industrial use on parcel "A" and 150,000 square feet of commercial use and 90,000 square feet of office use on parcels "B" and "C". Industrial buildings are further restricted to no more than 30% ancillary office per bay or single tenant building. Freestanding banks or bank drive-thru facilities are not permitted in the commercial and office uses and commercial retail uses are not permitted within the office use. The proposed plat is consistent with the Land Development Code as it relates to access, location, size, and use. The proposed uses are allowed within the Regional Activity Center.

PREVIOUS ACTIONS: N/A

CONCURRENCES: At the May 27, 2009 Planning & Zoning Board meeting, Mr. Farkas made a motion, seconded by Mr. DeArmas, to approve the plat and send to Town Council taking into consideration the clarification of the "30% build-out." (That if the intent was to limit total air-conditioned space within the building to 30%, than the wording of that needs to be modified.) In a roll call vote, the vote was as follows: Chair Turin – yes; Vice-Chair Busey – no; Mr. DeArmas – yes; Mr. Farkas – yes; Mr. Jacob – yes. (Motion carried 4-1)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to the Town Council for further consideration. If approved, staff recommends:

1. Shall be subject to finding of adequacy determined by Broward County.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Attachment(s): Resolution, Planning Report

Application: P 11-1-08/09-17/I-595 Commerce Center

Original Report Date: 05/06/09

Revision(s): 06/01/09

TOWN OF DAVIE
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner

Name: Silver Oaks Landowner LLC & SHE Station LLC

Address: 888 SE 3 AVE #501

City: Fort Lauderdale, Florida 33316

Phone: (954) 739-6400

Petitioner

Name: Craven Thompson & Associates, Inc.

Address: 3563 NW 53 ST

City: Fort Lauderdale, Florida 33309

Phone: (954) 739-6400

Background Information

Application Request: Approval of the plat known as the "I-595 Commerce Center" plat

Address: SW 64 AVE & SW 30 ST

Location: Generally located on the northeast corner of Davie Road and the Proposed Oaks Road.

Future Land Use Plan Map: Regional Activity Center

Existing Zoning: Davie Regional Research and High Tech District East District (RAC -RTE).

Additionally, the east boundary of the plat is adjacent to Davie Road and the south boundary is adjacent to Oaks Road which are both considered Transit Oriented Streets.

Transit Oriented Streets have regulations that pertain to a building use, height, and all site development standards, such regulations control over the corresponding zoning district. This concept applies to the first six hundred feet of lot depth.

Existing Use:	Vacant
Parcel Size:	113.180 Acres (4,930,124 sq. ft.)
Proposed Use(s):	Industrial, Commercial and Office
Proposed Density:	n/a

	<u>Surrounding Use(s):</u>	<u>Surrounding Land</u>		
		<u>Designation(s):</u>	<u>Use</u>	<u>Plan Map</u>
North: Center	Commercial, Multifamily Residential		Regional	Activity
South: Center	Proposed Oaks Road, Residential		Regional	Activity
East: Center	Mobil Home Park, Multifamily Residential		Regional	Activity
West: Center	Davie Road, Community College		Regional	Activity
 <u>Surrounding Zoning(s):</u>				
North: RTE)	Davie Regional Research and High Tech District East District (RAC -			
South:	Davie Downtown Neighborhood District Medium Density (RAC-ND4)			
East: RTE)	Davie Regional Research and High Tech District East District (RAC -			
West: RTW)	Davie Regional Research and High Tech District West District (RAC -			

Zoning History

Related zoning history:

On September 17, 1997, the Town of Davie Council approved the Regional Activity Center Future Land Use Classification for the area including the subject site.

On February 6, 2008, the Town of Davie adopted zoning and other land development regulations as part of the implementation of the Regional Activity Center Future Land Use Designation. Consequently; as a result, the subject site was rezoned from T-1, Mobile Home District (Broward County) to RAC-RTE, Davie Regional Research and High Tech District East District.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-360(B)(1)) platting requirements.

Land Development Code (Section 12-366.1 (A) thru (D)) submission requirements for plats.

Land Development Code, Article XII of the Land Development Code, Subdivisions and Site Plans.

Land Development Code (Section 12-32.506 RAC Districts; intent and requirements, Regional Activity Center-Research and Technology District East (RAC-RTE) District, Intent and Character. High potential for immediate development is the focus for this district. It is the intent of this district to promote regionally significant development that includes large-scale commercial development, and Research & Development (R&D) that is complementary to the educational and research institutions of the South Florida educational center (SFEC).

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 8. This Planning area includes land located south of Nova Drive and north of Griffin Road, and west of the Florida Turnpike and east of University Drive. This planning Area is the heart of Davie, and is the most diverse, characterized by older, small scale commercial development, older single family residential neighborhoods, and newer, large scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC). The SFEC includes Nova Southeastern University, Florida Atlantic University, Broward Community College, Florida International University, McFather Vocational School, among others. The planning area also encompasses the downtown Davie Business District.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 97.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy 5-2: The (re)zoning, (re)plating, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

1. *Site:* The subject site consists of 113.180 net acres (4,930,124 sq. ft.)
2. *Restrictive Note:* This plat is restricted to 1,550,000 square feet of industrial use on parcel "A" and 150,000 square feet of commercial use and 90,000 square feet of office use on parcels "B" and "C". Industrial buildings are further restricted to no more than 30% ancillary office per bay or single tenant building. Freestanding banks or bank drive-thru facilities are not permitted in the commercial and office uses, and commercial retail uses are not permitted within the office use.

3. *Access:* The proposed plat provides four (4) vehicular accesses openings from Davie Road onto the subject site. On parcel “C” there is a 90 foot opening. On parcel “B” there are two additional 80 foot openings and one 70 foot opening.
 4. *Trails:* The Roberts-Potters Park Trail is located along the west side of Davie Road. This trail will accommodate leisure activities to and from the subject site and will also provide access numerous Davie parks and other trails.
 5. *Easements and Reservation:* The following easements are proposed by this plat:
 - a. Ingress/egress easement and traffic control easement along Davie Road (*located on parcel “C”*).
 - b. Bus shelter easements along Davie Road (*located on parcel “B”*).
 6. *Dedications:* The following dedications are proposed by this plat:
 - a. A 68 foot additional right-of-way along the south boundary line (*proposed Oaks Road*).
 - b. A 12 foot deceleration lane along east Davie Road R/W line Parcel “C”.
 - c. Three 12 foot deceleration lanes along east Davie Road R/W line Parcel “B”.
 7. *Drainage:* The proposed plat is within Tindall Hammock Drainage District. Approval from Tindall Hammock Drainage District shall be obtained prior to the issuance of any site development permit.
 8. *Compatibility:* The proposed plat can be considered compatible with the uses and properties located in the RAC. The proposed plat is consistent with the Land Development Code as it relates to access, location, size, and use.
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Significant Development Review Committee (DRC) Comments

This application does not have any pending Development Review Committee comments.

Staff Analysis

The subject site was originally platted according to “Newman’s Subdivision” as recorded in Plat Book 2, Page 26 of the public records of Miami-Dade County, Florida. The proposed plat meets the intent of the RAC-RTE, Regional Activity Center-Research and Technology District East. Additionally, the plat is compatible with both the Comprehensive Plan and Future Land Use Plan Map designation of Regional Activity Center.

Staff Findings of Fact

Staff finds that the proposed “I-595 Commerce Center” plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. If approved, staff recommends:

1. The plat shall be subject to finding of adequacy determined by Broward County.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Planning and Zoning Board Recommendation

At the May 27, 2009 Planning & Zoning Board meeting, Mr. Farkas made a motion, seconded by Mr. DeArmas, to approve the plat and send to Town Council taking into consideration the clarification of the “30% build-out.” (That if the intent was to limit total air-conditioned space within the building to 30%, than the wording of that needs to be modified.) In a roll call vote, the vote was as follows: Chair Turin – yes; Vice-Chair Busey – no; Mr. DeArmas – yes; Mr. Farkas – yes; Mr. Jacob – yes. (Motion carried 4-1)

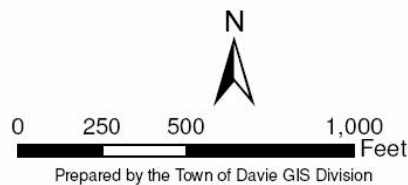
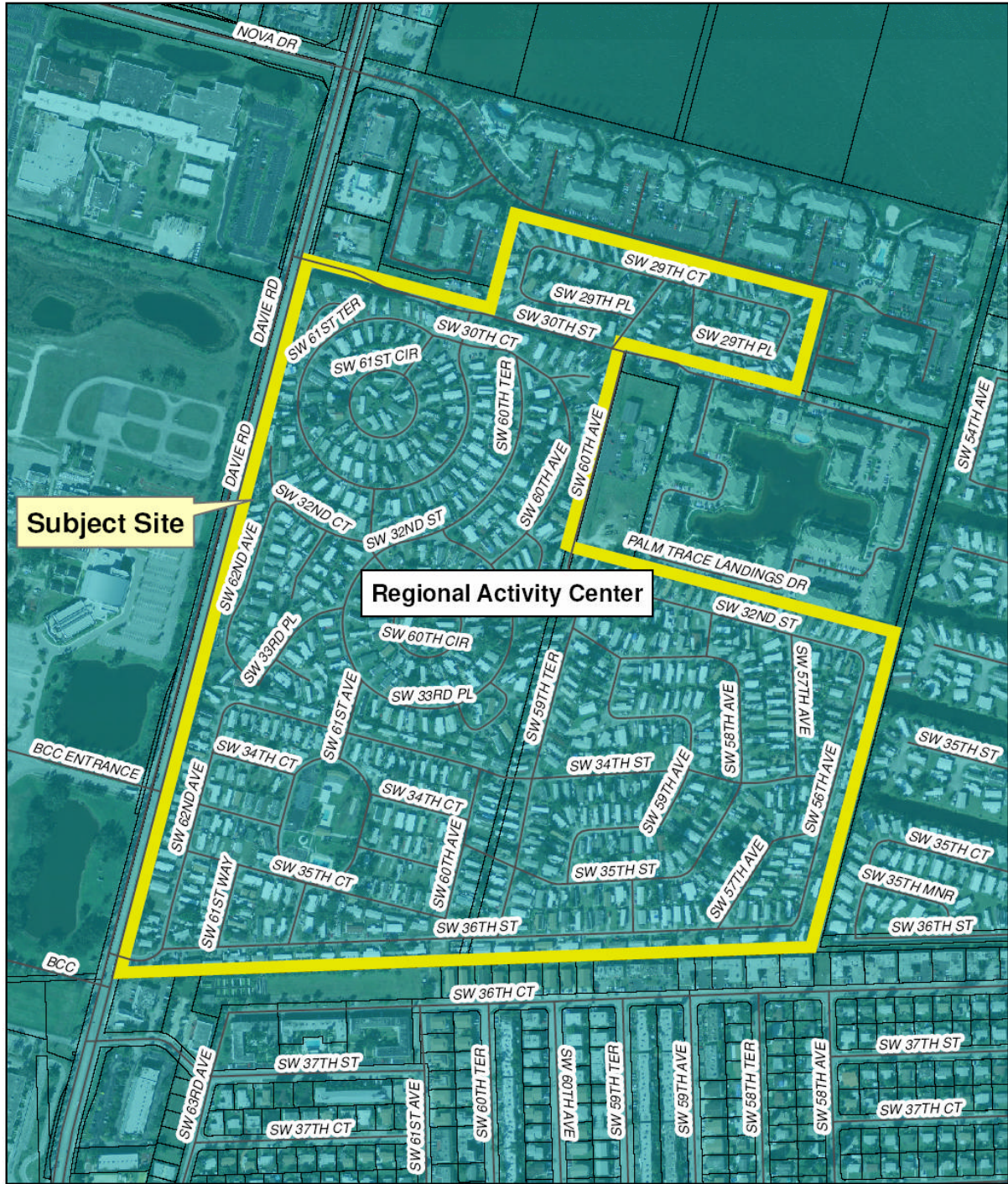
Town Council Action

Exhibits

- 1. Future Land Use Plan Map**
 - 2. Zoning and Aerial Map**
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File Location: P&Z\Development Applications\Applications\P_Plat\P_08\P 11-1-08 I-595 Commerce Center

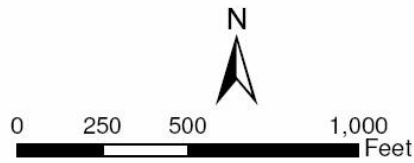
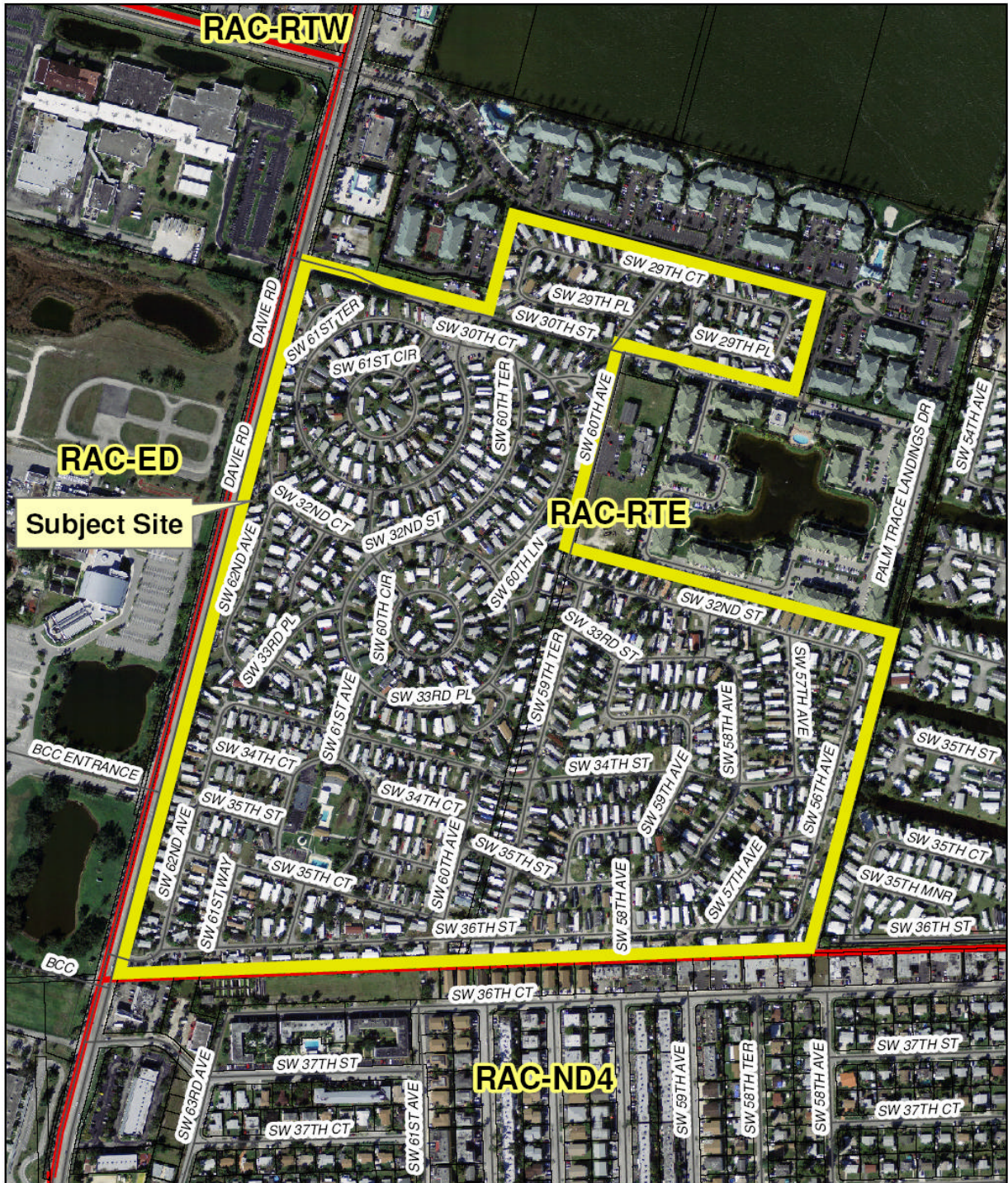
Exhibit 1 (*Future Land Use Plan Map*)



Plat
P 11-1-08
Future Land Use Map

Prepared by: ID
Date Prepared: 1/8/09

Exhibit 2 (*Aerial, Zoning, and Subject Map*)



Prepared by the Town of Davie GIS Division

Plat
P 11-1-08
Zoning and Aerial Map

Prepared by: ID
Date Prepared: 1/8/09

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "I-595 COMMERCE CENTER" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "I-595 Commerce Center" was considered by the Town of Davie Planning and Zoning Board on May 27, 2009.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "I-595 Commerce Center" as is hereby approved subject to the following:

3. The plat shall be subject to finding of adequacy determined by Broward County.
4. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy transit concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2009.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2009.